

## REMARKS

Claims 1-29 and 31-52 are pending in the present application. In the Office Action of April 6, 2005, all claims were rejected. Applicant hereby amends claims 1, 2, 6, 13, 15, 19, 23, 31 and 42 and traverses the rejections as follows.

In view of the amendment and the following remarks, Applicants request reconsideration of this application.

### Response to Claim Objections

The Examiner has objected to claims 6, 7, 16, 17, 23 and 24 because the Examiner asserts that they recite only information included in reports. Applicant respectfully requests reconsideration and withdrawal of these objections.

Applicant has amended claims 6 and 23 to clarify that the reporting feature can provide the recited closing report. Claim 7 depends from claim 6 and therefore also includes this limitation. Claim 24 depends from claim 23 and therefore also includes this limitation.

Applicant also has amended claim 15 to recite that the rental feature can provide the recited printable rental agreement. Claims 16 and 17 depend from claim 15 and therefore also include this limitation.

The Examiner has objected to claims 32-41 under 35 U.S.C. § 112 because the Examiner asserts that they recite functional elements that are not disclosed as being resident on the server. Applicant has amended claim 31 as described below. Support for this amendment can be found in the specification at paragraph [0043]. Claims 32-41 depend from claim 31 and therefore include all of the limitations of claim 31. Applicant respectfully suggests, therefore, that the Examiner's objection to claims 32-40 is rendered moot.

### Response to Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-29 and 31-52 stand rejected under 35 U.S.C. § 103(a) as being obvious over U-Haul's non-internet based point of sale system alone or in combination with one or more of Francisco et al. (U.S. No. 5,875,433) and the Budget reservation system. Applicant respectfully requests reconsideration and withdrawal of these rejections.

Applicant previously submitted the Rule 132 Declaration of Gordon Michael Wiram. As Applicant has previously discussed, the Declaration shows "Secondary Considerations" of non-obviousness. The Examiner has indicated that the Rule 132 Declaration does not address the claimed invention because the Examiner argues that, as claimed, the features and functions of the system can be performed by a standalone system having a nominal connection to the internet. The Examiner suggests that the claimed invention does not recite a functional connection to the internet and that the claimed invention therefore does not necessarily provide the benefits described in the Rule 132 Declaration. Applicant has amended independent claims 1, 2, 13, 19, 30, 31, and 42 to clarify that the operative coupling to the internet is for communicating certain information recited in the claims to or from one or more retail locations, one or more users or one or more remote browsers.

Applicant respectfully suggests that the Rule 132 Declaration addresses the claims, as amended. As previously explained, the claimed internet-based point of sale system addressed several long felt but unsolved needs relating to the inability to quickly and uniformly update a POS system at a nationwide network of rental equipment centers and dealers. In addition, the ability to quickly and uniformly update the claimed POS system allowed for the successful adaptation of the system to quickly fluctuating market conditions, thereby providing economic gains. As a result, the claimed system has achieved a degree of commercial success which also demonstrates its non-obviousness. Applicant respectfully suggests, therefore, that whether or not the Examiner previously presented a *prima facie* case of obviousness, the Rule 132 Declaration demonstrates that claims 1-29 and 31-52 are allowable over the references of record.

#### Conclusion

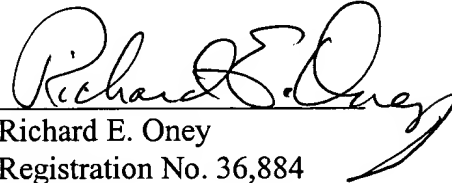
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete reply has been made to the outstanding Office Action, and that the present application is in condition for allowance. If the Examiner believes, for any reason, that personal

Response and Amendment to Office Action dated April 6, 2005  
US Patent Application No. 09/777,722

communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: October 6, 2005

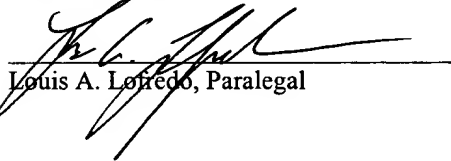
Respectfully submitted,



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Express Mail Label No. **EV 426789312 US** Date of Deposit October 6, 2005

I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, postage prepaid and addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Louis A. Lofredo, Paralegal

10-6-05  
Date of Signature